

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IRON WORKERS ST. LOUIS DISTRICT)	
COUNCIL ANNUITY TRUST, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:14CV02066 AGF
)	
INNOVATIVE CONCRETE, LLC,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' motion for default judgment in the amount of \$5,847.30 against Defendant Innovative Concrete, LLC. Plaintiff filed this action on December 17, 2014, under the Employee Retirement Income Security Act ("ERISA"), 29 U.S.C. § 1132, to collect delinquent fringe benefit contributions. On February 6, 2015, the Clerk of Court entered default against Defendant.

Defendant is required by the Iron Workers Local 396 collective bargaining agreement to remit contributions to the Iron Workers St. Louis District Council Funds, to remit monthly reports reflecting the hours worked by its employees, and to submit to an audit of its books and records by Plaintiffs. The collective bargaining agreement also requires Defendant to pay ten percent liquidated damages on delinquent contributions, and in the event of suit, interest, attorney's fees, and costs.


By Order dated February 11, 2015, the Court ordered Defendant to submit its payroll registers and other documents needed to perform an audit, to an auditor of

Plaintiffs' choice. In support of their motion for default judgment, Plaintiffs have now provided documentation showing that for the period of June 1, 2014, through December 31, 2014, Defendant owes \$2,331.19 in contributions, \$233.12 in liquidated damages, and \$206.42 in interest. Plaintiffs have also provided documentation showing that in connection with this action they have incurred attorneys' fees of \$2,000.00, court costs of \$466.57, and accounting costs of \$610.00, for a total amount of \$5,847.30.

Upon review of the record,

IT IS HEREBY ORDERED that Plaintiffs' motion for default judgment is **GRANTED**. [Doc. #18]

An appropriate Judgment showing Defendant's full liability of \$5,847.30 for the periods set forth above shall accompany this Memorandum and Order.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of July, 2015.